

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Frank DIESTERBECK

Application No.: 09/822,850

Conf. No. 7182

Filed: April 2, 2001

For: PLASTIC CONTAINER WITH SNAP LID AND A SEALING

WEB LOCATED ON THE...

THE HONORABLE COMMISSIONER FOR PATENTS
U.S. Patent and Trademark Office
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Arlington, Virginia 22202



Art Unit: 3727

Examiner: R.A. Hyton

Washington, D.C.

Atty.'s Docket: DIESTERBECK=3

Date: May 21, 2004

**RESPONSE UNDER 37 CFR 1.118
EXPEDITED PROCEDURE
EXAMINING GROUP 3727**

Sir:

Transmitted herewith is a [] Amendment [XX] REPLY TO ADVISORY ACTION: AMENDMENT AND REMARKS in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[] No additional fee is required.

[XX] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 22	MINUS	** 22		0
INDEP.	* 5	MINUS	*** 5		0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 43	\$
+ 145	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 86	\$
+ 290	\$
TOTAL	

OR

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
- [] Second - \$ 210.00
- [] Third - \$ 475.00
- [] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
- [XX] Second - \$ 420.00
- [] Third - \$ 950.00
- [] Fourth - \$ 1480.00

Month After Time Period Set

[] Less fees (\$) already paid for ___ month(s) extension of time on _____.

[] Please charge my Deposit Account No. 02-4035 in the amount of \$_____.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$420.00.


[] A check in the amount of \$_____ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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